RECEIVED JUL 2 6 1994 1 Andrew H. Wilson SBN 063209 WILSON, RYAN & CAMPILONGO HUB LAW OFFICES 2 235 Montgomery Street Suite 450 3 San Francisco, California 94104 (415) 391-3900 4 Laurie J. Bartilson SBN 139220 5 BOWLES & MOXON 6255 Sunset Boulevard 6 Suite 2000 Hollywood, California 90028 7 (213) 463-4395 8 Attorneys for Plaintiff and Cross-Defendant CHURCH OF SCIENTOLOGY INTERNATIONAL 9 10 SUPERIOR COURT OF THE STATE OF CALIFORNIA 11 FOR THE COUNTY OF MARIN 12 CHURCH OF SCIENTOLOGY) Case No. BC 157680 INTERNATIONAL, A California not-) 13 for-profit religious corporation;) NOTICE OF MOTION AND MOTION) BY CROSS-DEFENDANT CHURCH 14 Plaintiff,) OF SCIENTOLOGY INTERNATIONAL FOR SUMMARY 15 v. JUDGMENT OF GERALD) ARMSTRONG'S CROSS-COMPLAINT 16 GERALD ARMSTRONG; DOES 1 through) Date: September 9, 1994) Time: 9:00 a.m. 17 25, inclusive,) Dept: 1 18 Defendant.) Trial Date: Sept. 29, 1994 19 AND RELATED CROSS-ACTION.) Disc. Cutoff: Aug. 30, 1994 20) Mtn. Cutoff: Sept. 13, 1994 TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD: 21 PLEASE TAKE NOTICE that on September 9, 1994 at 9:00 a.m. 22 23 in Department 1 of the Marin Superior Court, Hall of Justice, 3501 Civic Center Dr. #151, San Rafael, Ca. 94903-4177, Cross-24 25 Defendant Church of Scientology International (the "Church") will 26 move for an order of summary judgment in its favor as to the Second Amended Cross-Complaint of defendant and cross-complainant 27 28 Gerald Armstrong ("Armstrong") pursuant to Code of Civil

1 Procedure §437c.

This motion is made on the grounds that the undisputed facts demonstrate that the acts of which Armstrong complains are, as a matter of law, insufficient to state a claim for abuse of process.

6 This motion is based on this Notice, the accompanying 7 Memorandum of Points and Authorities, the Church's Separate 8 Statement of Undisputed Facts in Support of Motion for Summary 9 Judgment, Evidence in Support of Church of Scientology 10 International's Motion for Summary Judgment, and Fourth Request 11 for Judicial Notice, the records and other documents on file in 12 this action, and on all other matters that may be adduced at the 13 hearing of this Motion. 14 Dated: July 22, 1994 Respectfully submitted, 15 BOWLES & MOXON 16 17 BY: Laurie J. Bartilson 18 Andrew H. Wilson 19 WILSON, RYAN, & CAMPILONGO 20 Attorneys for Cross-Defendant 21 CHURCH OF SCIENTOLOGY INTERNATIONAL 22 23 24 25 26 27 28

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envelopes by hand to the offices of the addressees.

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STATE OF CALIFORNIA)) ss. COUNTY OF LOS ANGELES)

I am employed in the County of Los Angeles, State of California. I am over the age of eighteen (18) years and not a party to the within action. My business address is 6255 Sunset Boulevard, Suite 2000, Los Angeles, CA 90028.

On July 25, 1994, I served the foregoing document described as NOTICE OF MOTION AND MOTION BY CROSS-DEFENDANT CHURCH OF SCIENTOLOGY INTERNATIONAL FOR SUMMARY JUDGMENT OF GERALD ARMSTRONG'S CROSS-COMPLAINT on interested parties in this action,

> [] by placing the true copies thereof in sealed envelopes as stated on the attached mailing list;

> [X] by placing [] the original [X] true copies thereof in sealed envelopes addressed as follows:

FORD GREENEFEDERAL EXPRESSHUB Law Offices711 Sir Francis Drake Blvd.San Anselmo, CA 94960-1949

MICHAEL WALTON 700 Larkspur Landing Circle Suite 120 Larkspur, CA 94939

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